

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

KENNETH EVERETT MOORE,

Plaintiff,

No. 2:21-cv-00483-YY

ORDER

v.

ROBERT THURNAU, BRAD CAIN,
COLETTE PETERS, ALL MAIL ROOM
STAFF (NAMES UNKNOWN), MARK
NOOTH, MICHEAL GOVER, K. WILEY,
M. GRANT,

Defendants.

HERNÁNDEZ, District Judge,

On June 20, 2023, Magistrate Judge You issued a non-dispositive order granting Defendants' Motion for Extension of Time to Respond to Plaintiff's Requests for Admission [118]. On June 23, 2023, Plaintiff filed objections to the Order [119]. The matter is now before the Court pursuant to Federal Rule of Civil Procedure 72(a).

In accordance with Rule 72(a), “[w]hen a pretrial matter not dispositive of a party’s claim or defense is referred to a magistrate judge to hear and decide, the magistrate judge must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision.” Fed. R. Civ. P. 72(a). The standard of review for an order with objections is “clearly erroneous” or “contrary to law.” 28 U.S.C. § 636(b)(1)(A) (applying the “clearly erroneous or contrary to law” standard of review for non-dispositive motions). If a ruling on a motion is not determinative of “a party’s claim or defense,” it is not dispositive and, therefore, is not subject to *de novo* review as are proposed findings and recommendations for dispositive motions under 28 U.S.C. § 636(b)(1)(B).

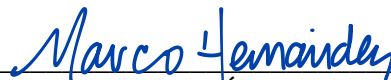
The Court has carefully considered Plaintiff’s objections and concludes they do not provide a basis to modify the Magistrate Judge’s Order. Judge You’s Order granting Defendants’ Motion for Extension is not clearly erroneous or contrary to law.

CONCLUSION

The Court AFFIRMS Magistrate Judge You’s Order [118].

IT IS SO ORDERED.

DATED: July 6, 2023.



MARCO A. HERNÁNDEZ
United States District Judge